

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ROBERT W. JOHNSON,

Plaintiff,

-against-

BROSnan RISK CONSULTANTS,

Defendant.

1:22-CV-3805 (LTS)

ORDER OF DISMISSAL
UNDER 28 U.S.C. § 1651

LAURA TAYLOR SWAIN, Chief United States District Judge:

On July 10, 2020, Plaintiff was barred from filing any new civil action in this court *in forma pauperis* (“IFP”) without first obtaining from the court leave to file. *See Johnson v. Wolfe*, ECF 1:19-CV-7337, 8 (S.D.N.Y. July 10, 2020), *appeal dismissed*, No. 21-299 (2d Cir. July 15, 2021). Plaintiff files this new *pro se* action,¹ and he has neither paid the fees to bring this action nor filed an application to proceed IFP. Because Plaintiff has not paid the fees to bring this action, the Court construes Plaintiff’s complaint as requesting to proceed IFP. Plaintiff has not, however, sought leave to file. The Court therefore dismisses this action without prejudice for Plaintiff’s failure to comply with the court’s July 10, 2020 order.

¹ Plaintiff originally filed this action in the United States District Court for the Eastern District of Pennsylvania. By order dated May 2, 2022, that court transferred this action to this court. *Johnson v. Brosnan Risk Consultants*, No. 22-CV-1299 (E.D. Pa. May 2, 2022).

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith and therefore IFP status is denied for the purpose of an appeal.

See Coppededge v. United States, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

Dated: May 12, 2022
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge